NOTIFICATION.

(LAW DEPARTMENT).

No. LAW 52 LCR 65, dated Bangalore, the 26th March 1965.

Ordered that the accompanying Notification No. G.S.R. 97, dated 2nd January 1965, of the Ministry of Finance regarding The Companies (Central Government), General Rules and Forms (Amendment) Rules, 1965, which has been published in the *Gazette of India*, Extraordinary, Part II, Section 3, sub-section (i), dated the 16th January, 1965, be republished in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

H. K. ANANTHASUBBA RAO,
Under Secy. to Govt., L. D.

11

GOVERNMENT OF INDIA.

MINISTRY OF FINANCE

(Department of Company Affairs and Insurance)

NOTIFICATION.

New Delhi, the 2nd January 1965.

The Companies (Central Government's) General Rules & Forms

G. S. R. 97.—In exercise of the powers conferred by clauses (a) and (b) of sub-section (1) of section 642 of the Companies Act, 1956 (1 of 1956), the Central Government hereby makes the following rules further to amend the Companies (Central Government's) General Rules and Forms, 1956, namely :—

1. These rules may be called the Companies (Central Government's) General Rules and Forms (Amendment) Rules, 1965.

2. In rule 18 of the Companies (Central Government's) General Rules and Forms, 1956 (hereinafter referred to as the said rules), in sub-rule (1), *for* the words "within two months from the date on which

the alteration was made or occurred", the words, figures and letters "on or before the 31st January of the year following the year in which the alteration was made or occurred" shall be *substituted*.

3. In Annexure A to the said rules,—

(i) *for* the existing Form No. 8, the following Form shall be *substituted*, namely :—

"No. of Company Form No. 8

Nominal Capital Rs.

THE COMPANIES ACT, 1956

Particulars of charge (a) created by a company registered in India
subject to which property has been acquired by a company rigistered in India

Pursuant to section 125
127

Limited/Private Limited,

Presented by

Particulars of Charge (a) created
subject to which property has been acquired

Limited/Private Limited,

a company registered in India.

Date and description of the instrument creating or evidencing the charge (a)	Amount secured by the charge/Amount owing on security of the charge	Short particulars of the property charge. If the Property acquired is subject to charge, date of acquisition of the property should also be given

(1)	(2)	(3)
Gist of the terms and conditions and extent and operation of the charge	Names, addresses and description of the persons entitled to the charge (b).	Amount of rate per cent of the commission, allowance or discount (if any) paid or made either directly or indirectly by the company to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any of the debentures included in this return (c).

(4)	(5)	(6)

Signature

Designation of position in relation to the Company.

Dated the *day of* 19

(*a*) "Charge" includes mortgage—*See* section 124. A description of the instrument, that is to say, whether a trust deed, mortgage or debenture, should also be given.

(*b*) "Persons entitled to the charge" will include mortgagees.

(*c*) The rate of interest payable under the terms of the debentures need not be entered." ;

(ii) the existing Form No. 9 shall be *omitted* ;

(iii) after Form No. 21, the following Form shall be *inserted*, namely :—

"Company No.....

Form No. 21A

THE COMPANIES ACT, 1956

(Pursuant to section 160)

1. Name of the Company..... ....
2. Presented for filing by.....
3. Annual Return of the company made up to the.....day of.....19..... ..being the date of *the last Annual General Meeting of the company*.†
4. Address of the Registered Office of the Company... .....
5. List of *past and present members.

[NOTE.—The Companies holding a licence under section 25 of the Companies Act, 1956 exempting them from using the word "Limited" as the last word of their names, do not have to fill in this item as they are exempt from this under Order No. S. O. 1573 dated 1st July, 1961 of the former Department of Company Law Administration and published in the Gazette of India 1961, section 3(ii)—Part II—Page 1547].

Folio in the Register of Members	Name, address and occupation, if any	Name of father or husband	Date they become members	Date on which they ceased to be members	Remarks, if any
(1)	(2)	(3)	(4)	(5)	(6)

*NOTE: (1) Names of persons who ceased to be the members since the date of the last annual general meeting or of the latest due date thereof and the respective dates on which they so ceased, are also to be given.

(2) If the names in the list are not arranged in alphabetical order, an index sufficient to enable the name of any person to be readily found must be annexed.

† See the Explanation to sub-section (1) of section 159 of the Act. Where the annual general meeting for a year has not been held, the return should be made up to the latest date on or before which that meeting should have been held in accordance with the provisions of section 166 of the Act.

6. *Particulars of Directors, Managing Director, Managing Agents Secretaries and Treasurers, Manager and Secretary* (a) :

(A) Particulars of persons who are *Directors, Managing Director* of the company on the day of the last annual general meeting or the latest due date thereof, *viz* , the.....day of.....19.....

Present name(s) and surname(s) in full and Whether director or managing director	Any former name(s) or surname (s) in full	Father's/ Husband's name and surname	Nationality and Nationality of origin, if different from present nationality	Usual residential address
1	2	3	4	5

Business occupation and particulars of directorships, managing directorships. managing agencies, managerships and secretaryships held in other companies/bodies corporate	Date of birth age (b)	Date of appointment	Date of cessation, if any
6	7	8	9

NOTE : (a) The expression " managing director ", " director ", etc., includes a member of managing/executive committee.

(b) The information under column (7) need not be given in respect of private companies which are not subsidiaries of public companies.

(B) Particulars of the person/persons who is/are *managing agent, secretaries and trasurers* of the company on the day of the latest annual general meeting or the latest due date thereof, *viz.*, the.....day of.....19.....

where the managing agent is an individual present name(s) and surname(s) in full. Where the managing agent is or secretaries and treasurers are a firm, the firm's name(*). Where the managing agent is or secretaries and treasurers are a body corporate, the corporate name(**)	Any former name(s) and surname(s) in full	Father's/Husband's name and surname	Nationality and Nationality of orign, if diffrent from present nationality

NOTES : (*) In the case of a firm, the full name, address and nationality of each partner and the date on which each become a partner should be indicated.

(**) In the case of a body corporate, its corporate name and registered or principal office should be given along with the full name, address and nationality of each of its directors.

1	2	3	4

Usual residential address, if a firm or body corporate, the address of registered or principal office	Particulars of managing agencies, offices of secretaries and treasurers, directorships, managerships and secretaryships held in other companies/ bodies corporate	Date of appointment	Date of cessation, if any
5	6	7	8

(C) Particulars of the person(s) who is *Manager/Secretary* of the company on the day of the latest annual general meeting, or the latest due date thereof, namely, the.....day of.....19.....

Present name(s) or surname(s) in full and whether Manager/ Secretary	Any former name(s) and surname(s) in full	Father's/Husband's name and surname	Nationality and nationality of orign, if different from present nationality
1	2	3	4

Usual residential address	Business occupation and particulars of directorships, managing directorships, offices of secretaries and treasurers, managerships and secretaryships held in other companies/bodies corporate	Date of appointment	Date of cessation, if any
5	6	7	8

7. *Particulars of Indebtedness.*

A statement is annexed to this return duly signed by the signatories to this return and containing particulars of the total amount of indebtedness as on the day of the aforesaid annual general meeting in respect of all charges which are or were required under the Companies Act, 1956, or under any previous company law, or which would have been required to be registered under the aforesaid Act if they had been created after the commencement of the said Act.

Certificates to be given by a director and the managing agent/ secretaries and treasurers, Manager/Secretary or by two directors one of whom shall be managing director where there is one

We certify that the return states the facts as they stood on the date of the annual general meeting aforesaid, correctly and completely.

We certify that since the date of the last annual return the transfer of all debentures and the issue of all further certificates of debentures have been appropriately recorded in the books maintained for the purpose.

[in case of private companies only]

We certify that the company has not since the date of the annual general meeting with reference to which the last return was submitted or in the case of first return, since the date of the incorporation of the company, issued any invitation to the public to subscribe for any debentures of the company.

We certify that the excess of the number of members of the company over fifty consists wholly of persons, who under sub-clause (b) of clause (iii) of section 3 of the Companies Act, 1956, are not to be included in reckoning the number of fifty.

Place : Signed.....Director

Date : Signed.....Director/Managing Agent/Secretaries and Treasurers/ Manager/Secretary"

(iv) *for* the existing Form No. 29, the following Form shall be *substituted*, namely :—

"No. of Company————— Form No. 29

THE COMPANIES ACT, 1956

Consent to act as director of a company and/or undertaking to take and pay for qulification shares.

Pursuant to section 264(2)/266(1) (a)/266(1) (a) and 266(1) (b) (iii)

Name of Company.....Limited

Presented by.....

To the Registrar of Companies..... ....

To the Registrar of Companies,... ....., a foreign company having established a place of business in India at..... hereby gives you notice and delivers the under-mentioned Return of alteration in the—

I, the undersigned, having consented to act as director of the company..... .....Limited, pursuant to section 264(2)/ 266(1) (a) of the Companies Act, 1956, and certify that I have not been disqualified to act as a director under section 267 and/or 274 of the Companies Act. 1956.

I, the the undersigned, having consented to act as director of the Company..... .....Limited, also hereby undertake to take from the said company and pay for..... ... shares of Rs.....each being the number/value of the shares prescribed as the qualification shares for the office of director of the said company.

Name and surname in full and father's name.	Address	Occupation	Date of birth	Nationality	Signature
(1)	(2)	(3)	(4)	(5)	(6)

Dated the.....day of.....19.....

NOTE : (1) Delete the portion not applicable.

(2) If a director signs through his agent authorised in writing, the authority must be produced before the Registrar.

(3) In case of undertaking to take and pay for qualification shares the form should be accompanied by the necessary stamp duty.";

(v) the existing Form No. 31 shall be *omitted*;

(vi) in Form No. 44 under the heading "Director--Individual", *for* the existing heading in column (5), the following heading shall be *substituted*, namely :—

"Business occupation, or, if there is no business occupation, particulars of some one of other directorships held, if any";

(vii) *for* the existing Form No. 49, the following Form shall be substituted, namely :—

"No. of Company F. Form No 49

THE COMPANIES ACT, 1956

Return of alteration in the (A) Charter, Statutes or Memorandum and Articles of Association (B) address of the Rrgistered or Principal office and (C) List or Particulars of the Directors and Secretary of a foreign company.

Pursuant to section 593 (a)/(b)/(c)

Name of Company :

Country of Incorporation :

Presented by :

(A) *Charter, Statute, Memorandum or Articles of Association or other instrument constituting or defining the constitution of the company.*

A brief description of the alteration is given hereunder :—

"At an Extra-ordinary/General Meeting of the shareholders of the company held at..... ....on..... day of..... .....19..... ordinary/special resolution was passed authorising..... . ...(Certified copy of the resolution and/or the copy of the amended document should be enclosed. If the resolution or document is not in the English language, a certified translation thereof must accompany this return)."

(B) *Registered or Principal office of the company.*

The registered/principal office of the company in the country of incorporation has shifted from.....to..... ..... with effect from ....

(C) (i) List or particulars of the Directors/Secretary of the company (individuals).

Present name and surname in full	Usual residential address	Nationality	Business occupation or if there is no business occupation, particulars of some one of other directorships held, if any	Remarks as to alteration
(1)	(2)	(3)	(4)	(5)

(ii) List or particulars of the directors/secretary of the company * (bodies corporate)

Corporate name	Registered or principal office of body corporate	** Names of directors of body corporate		Remarks as to alteration
		A Full name and address	B Nationality of each director and nationality of origin if different from present nationality	
(1)	(2)	(3)	(4)	(5)

(2) Nature of alteration should be precisely stated, along with the date of alteration.";

(viii) the existing Forms Nos. 50 and 51 shall be *omitted.*

(ix) for the existing Form No. 52, the following Form shall be substituted, namely :—

"No. of Company F. Form No. 52

THE COMPANIES ACT, 1956

Return of alteration in the (A) Names of addresses of Persons resident in India, authorised to accept service on behalf of a foreign company (B) Address of Principal place of business in India of a foreign company.

(* The following particulars should be furnished where the secretary is a firm—

(i) Name of the firm ;

(ii) registered or principal office ;

(iii) remarks as to alteration.)

[** Columns 3 and 4 need be completed only in case of directors (bodies corporate)]

Signature or Designation of any one or more persons authorised under Section 592 (1) (d) of the Companies Act, 1956, or of some other person in India duly authorised by the company.

Dated the..... .....day..... 19.....

NOTE : (1) Portion not relevant should be deleted.

Pursuant to section 593 (d)/(e)

Name of Company :
Country of Incorporation :
Presented by :

To the Registrar of Companies..... ..... a foreign company, having established a place of business in India at... .... hereby gives you notice and deliver the return of alteration in the

(A) Names or addresses of presons resident in India authorised to accept service on behalf of the company.

Present name and surname in full.	Usual residential address.	Remarks as alteration.
(1)	(2)	(3)

(B) Address of Principal place of business of the company in India

The office of principal place of business in India has shifted from.....to.....with effect from.....

Note : (1) Portion not relevant should be deleted.

(2) Date of alteration should be stated.";

(x) the existing Form No. 53 shall be *omitted*; and

(xi) after Form No. 54, the following Form shall be inserted, namely :—

"No. of Company F. Form No. 54A

THE COMPANIES ACT, 1956

Notice by a foreign company on creating to have place of business in India.

[Pursuant to section 597 (3)]

Name of the Company :
Where incorporated :
Presented by :

The..... which had its principal place of business..... .. hereby gives notice in prusuance of section 597 (3) of the Companies Act, 1956 that it ceased to have a place of business in India at the said place since.....

2 The company is also not maintaining a place of business at any other place in India.

Signature or signatures of any one or more persons authorised under section 592(1) (d) of the Companies Act, 1956, or of some other persons in India duly authorised by the company.

Dated this.....1964."

(No. F. 5/2/64-PR.)

N. PARASURAMAN, Under Secy.